

IN RE: PETITION FOR VARIANCE
W/S Hinton Avenue, 115' S of the c/l
7th Street
(8930 Hinton Avenue)
15th Election District
7th Councilmanic District

Leroy E. Eagan, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-337-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Leroy E. and Karen L. Eagan. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 7 feet in lieu of the required 10 feet, and to approve the subject property as an undersized lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Leroy Eagan, property owner, and Vincent J. Moskunus, Professional Engineer with M & H Development Engineers, Inc., who prepared the site plan for the property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot located on Hawk Cove in the Swan Point subdivision of eastern Baltimore County. The property is roughly rectangular in shape, approximately 185 feet deep and 50 feet wide, and consists of a gross area of .211 acres, more or less, zoned D.R. 5.5. Mr. & Mrs. Eagan have owned the subject property for over 20 years. Presently, the site is improved with a single story dwelling, which is 43' by 30' in dimension, a one-story frame garage near Hinton Avenue, and a 20' x 8.5' shed near the bulkhead. Apparently, the house is over 40 years in age and is in need of repair. The Petitioners propose to raze the dwelling and construct a new dwelling in its place. The new house will use the same foundation as the existing dwelling and thus, will be located in nearly the same building envelope. However,

ORDER RECEIVED FOR FILING

Date

By

although the new dwelling will also be 30 feet wide, it will only be 40 feet deep, slightly smaller than the existing dwelling. However, the new dwelling will be two stories tall and provide more storage and livable areas. In addition to these improvements, the Petitioners propose to remove the existing garage and shed and areas of impervious surface walkway, as more particularly shown on the site plan.

Mr. Moskunas described the property and submitted photographs of same. He also noted that this lot is part of the Swan Beach subdivision, which was recorded among the Land Records of Baltimore County in 1924. Most of the lots in this subdivision are 50-feet wide, which is less than the 55 feet required under the current B.C.Z.R. Mr. Moskunas opined that the proposed construction would be an asset to the subject property and surrounding community in that it would remove impervious surface areas and be consistent with the existing use.

As noted above, there were no Protestants. A favorable Zoning Advisory Committee (ZAC) comment was received from the Office of Planning. That agency has reviewed and approved the building elevation drawings for the proposed dwelling. In addition, the Department of Environmental Protection and Resource Management (DEPRM) does not object to the proposal, for so long as the property complies with the Chesapeake Bay Critical Areas regulations. In this regard, Mr. Moskunas indicated that there would be less impervious surface on the site after the construction. His calculations comparing pre- and post-construction conditions are shown on the plan.

A comment was also received from the Developer's Plans Review Division of the Department of Permits and Development Management (DPDM), which noted that the property is adjacent to tidewater. As such, the proper sections of the Baltimore County Code must be followed regarding the elevation of the building as it relates to the floodplain. In this regard, Mr. Moskunas submitted a copy of the floodplain map, marked into evidence as Petitioner's Exhibit 2. That map indicates that the floodplain elevation for this lot is 9 feet. However, the Developer's Plans Review Division comment indicated that the elevation is 10 feet. Whatever the actual elevation of this lot, the property owner shall comply with the appropriate sections of the Baltimore County Code and building permits should not be issued until the concerns expressed in that agency's comments are satisfied.


ORDER RECEIVED FOR FILING
Date 6/3/09
[Signature]

However, I shall also direct that Developer's Plans Review further review the floodplain maps to determine the proper location of the floodplain.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

glt THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 1999 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 7 feet in lieu of the required 10 feet, and to approve the subject property as an undersized lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed dwelling shall be constructed substantially similar to the building elevation drawings reviewed and approved by the Office of Planning.
- 3) Compliance with the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated March 26, 1999, a copy of which is attached hereto and made a part hereof.
- 4) The Petitioner shall comply with the applicable provisions of the Baltimore County Code which limits the lowest floor of residential development, and the requirements of the Federal Flood Insurance Program, which requires the basement floor be at least one foot over the floodplain elevation. Moreover, the Petitioners, in concert with the Developer's Plans Review Division of DPDM shall ascertain the floodplain elevation for this site and the minimum floodplain elevation level.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ES:bjs



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 8, 1999

Mr. & Mrs. Leroy E. Eagan
8930 Hinton Avenue
Baltimore, Maryland 21219

RE: PETITION FOR VARIANCE
W/S Hinton Avenue, 115' S of the c/l 7th Street
(8930 Hinton Avenue)
15th Election District – 7th Councilmanic District
Leroy E. Eagan, et ux – Petitioners
Case No. 99-337-A

Dear Mr. & Mrs. Eagan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent J. Moskunas, M & H Development Engineers, Inc.
200 E. Joppa Road, Room 101, Towson 21286
Chesapeake Bay Critical Areas Commission
45 S. Calvert Street, 2nd Floor, Annapolis, Md. 21401
DEPRM; OP; People's Counsel; Case File

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on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #8930 Hinton Avenue

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1

To allow a buildable lot with a width of 50 ft. & a side yard setback of 7 ft. in lieu of the minimum required 55 ft. & 10 ft. respectively, + to approve an undersized lot.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Owners do not own adjacent property, therefore limited to the 50' width lot.
2. Owner wants to hold the lefthand side of the house at 7' where the existing house was located for continued access along the right.
3. The existing building cannot be used to support a second floor structurally, nor is the existing first floor layout acceptable for renovation.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No.

99-337-A

Legal Owner(s):

Leroy E. Eagan

Name - Type or Print

Signature

Karen L. Eagan

Name - Type or Print

Signature

8930 Hinton Avenue (410)477-2370

Address

Telephone No.

Baltimore, MD 21219

City

State

Zip Code

Representative to be Contacted:

M&H Development Engineers, Inc.

Vincent J. Moskunus

Name

200 E. Joppa Road, Room 101 (410)828-9060

Address

Telephone No.

Towson, MD 21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

1.00 hr.

UNAVAILABLE FOR HEARING

Reviewed By

Date 3-2-99

ORDER RECEIVED FOR FILING

Date

REV 9/15/98

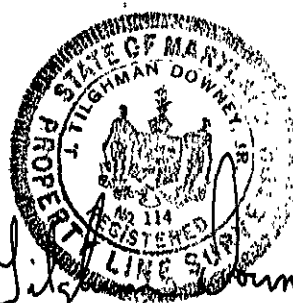
M. & H. DEVELOPMENT ENGINEERS, INC.

200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21286

February 26, 1999

ZONING DESCRIPTION FOR #8930 HINTON AVENUE

Beginning at a point on the west side of Hinton Avenue which is 15' wide at the distance of 115' south of the centerline of 7th. Street which is 30' wide. Being Lot #116 in the Subdivision of "Swan Point" as recorded in the Baltimore County Plat Book #7, folio #162, containing 9175 square feet. Also known as #8930 Hinton Avenue and located in the 15th. Election District, 7th. Councilmanic District.



J. Tilghman Downey, Jr.

J. Tilghman Downey, Jr.

337

99.337-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 25, 19 99

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 25, 19 99.

THE JEFFERSONIAN.

S. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-337-A
8930 Hinton Avenue
W/S Hinton Avenue, 115' S of centerline 7th Street
15th Election District
7th Councilmanic District
Legal Owner(s): Karen L. & Leroy E. Eagan

Variance: to allow a buildable lot with a width of 50 feet and a side yard setback of 7 feet in lieu of the minimum required 55 feet and 10 feet, respectively, and to approve an undersized lot.

Hearing: Tuesday, April 13, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4388.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3381.

3/471 March 25 - C289877

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

337
Item No. 062308

DATE 3/2/99 ACCOUNT R. 001-6150
AMOUNT \$ 50.00

RECEIVED FROM: M & H Development

FOR: Residential Variance Filing Fee
8930 Hinton Ave.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
3/2/1999 3/2/1999 10:22:20
RE: 0503 CASHIER PAYS FEW DINNER
5 MISCELLANEOUS CASH RECEIPT
RECEIVED BY 077351
OR NO. 062308

50.00 CHECK
Baltimore County, Maryland

99-337-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 89-337-A
PETITIONER/DEVELOPER:
(Leroy E. Eagan)
DATE OF Hearing
(APR. 13, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
8930 Hinton Ave. Baltimore, Maryland 21219_____

The sign(s) were posted on_____ 4-2-99 _____
(Month, Day, Year)

Sincerely,

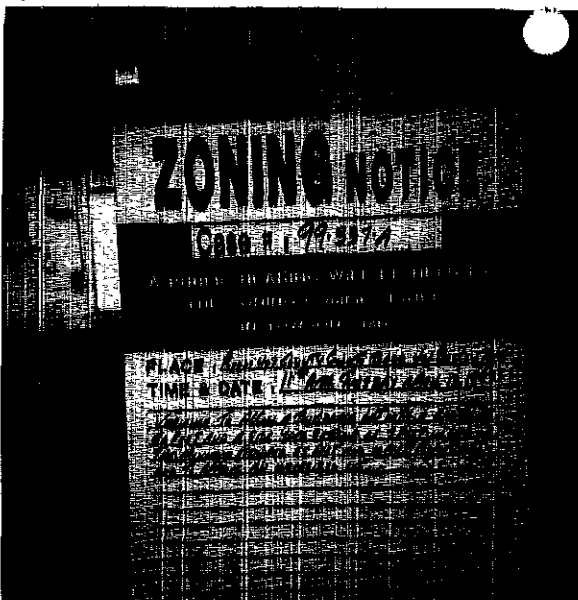

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)



CERTIFICATE OF POSTING

RE: CASE # 99-337-A
PETITIONER/DEVELOPER:
(Leroy E. Eagan)
DATE OF Hearing
(May 3, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign[s] required by law were posted conspicuously on the property located at
8930 Hinton Ave. Baltimore, Maryland 21219 _____

The sign(s) were posted on _____ (Re-posted) 4-12-99 _____
[Month, Day, Year]

Sincerely,


(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 99-337-A

Petitioner: Leroy and Karen Eagan

Location: 8930 Hinton Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Leroy and Karen Eagan

ADDRESS: 8930 Hinton Avenue

Baltimore, MD 21219

PHONE NUMBER: (410)477-3270

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-337-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A Variance to allow a buildable lot with a
width of 50 ft. and a side yard setback of 7 ft. in lieu
of the minimum required 55 ft. & 10 ft. respectively.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
March 25, 1999 Issue – Jeffersonian

Please forward billing to:

Leroy & Karen Eagan
8930 Hinton Avenue
Baltimore, MD 21219

410-477-3270

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-337-A

8930 Hinton Avenue

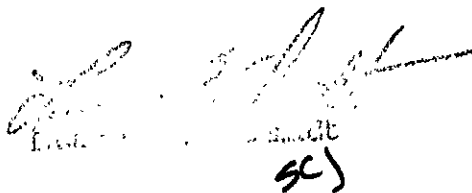
W/S Hinton Avenue, 115' S of centerline 7th Street

15th Election District – 7th Councilmanic District

Legal Owner: Karen L. & Leroy E. Eagan

Variance to allow a buildable lot with a width of 50 feet and a side yard setback of 7 feet in lieu of the minimum required 55 feet and 10 feet, respectively, and to approve an undersized lot.

HEARING: Tuesday, April 13, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 16, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-337-A
8930 Hinton Avenue
W/S Hinton Avenue, 115' S of centerline 7th Street
15th Election District – 7th Councilmanic District
Legal Owner: Karen L. & Leroy E. Eagan

Variance to allow a buildable lot with a width of 50 feet and a side yard setback of 7 feet in lieu of the minimum required 55 feet and 10 feet, respectively, and to approve an undersized lot.

HEARING: Tuesday, April 13, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

c: Karen & Leroy Eagan
M&H Development Engineers, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 29, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

photograph

99-337-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 8, 1999

Mr. Vincent J. Moskunas
M & H Development Engineers, Inc.
200 E. Joppa Road, Room 101
Towson, MD 21286

RE: Case No.: 99-337-A
Petitioner: Leroy and Karen Eagan
Location: 8930 Hinton Avenue

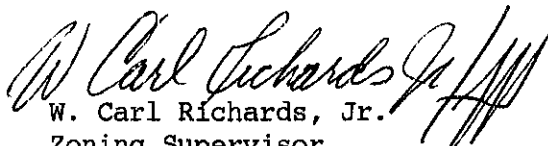
Dear Mr. Moskunas:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on March 2, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

March 29, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MARCH 15, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

337, 338, 341, 343, and 344

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 25, 1999

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for March 22, 1999
 Item No. 337

The Bureau of Development Plans Review has reviewed the subject zoning item. Hinton Avenue is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation for this site is 10 feet.

RWB:HJO:jrb

cc: File

ZONE0322.337

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

*sent
4/13
P.P.
has
not
for 5/3*

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: March 23, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

ITEM NO. 337

The Office of Planning approved a request for an undersized lot on March 15, 1999 (see attached form).

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

Jeffrey M. Long

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 3.14.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 337

JJS

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

to Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: March 26, 1999

TO: Arnold Jablon
FROM: R. Bruce Seeley *rbj*
SUBJECT: Zoning Item #337

Eagan Property - 8930 Hinton Avenue

Zoning Advisory Committee Meeting of March 15, 1999

----- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

----- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

----- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

----- Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

ORDER RECEIVED FOR FILING
DATE *6/5/99*
BY *rbj*

RE: PETITION FOR VARIANCE
8930 Hinton Avenue, W/S Hinton Ave,
115' S of c/l 7th Street, 15th Election District,
7th Councilmanic

Legal Owners: Leroy E. & Karen L. Eagan

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-337-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of March, 1999, a copy of the foregoing Entry of Appearance was mailed to Vincent J. Moskunas, M & H Development Eng., Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 2, 1999

Mr. Vincent J. Moskunas
M&H Development Engineers, Inc.
200 East Joppa Road
Room 101
Towson, MD 21286

Dear Mr. Moskunas:

RE: Case Number 99-337-A, 8930 Hinton Avenue

The above matter, previously assigned to be heard on April 13, 1999 has been postponed due to the fact that the property was not posted by the required date. The case has been **rescheduled for Monday, May 3, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that the responsibility and costs associated with the appropriate posting of the property lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. The new hearing date and time must be affixed to the hearing notice sign posted on the property as soon as possible.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:scj

c: Karen & Leroy Eagan

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

4-2-99

TC from Bernadette of
M+H — She neglected to
post the property. I told
her that I would
postpone it.

Sophia

99-337-A

Ref.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

<u>NAME</u>
Mrs. Rev. LNC. INC
Vincent J. MOSKUNAS
LEROY EAGAN

<u>ADDRESS</u>
200 E. JOPPA Rd. 21286
8930 Hinton Ave 21279



**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

Variance # 99-337-A

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Leroy and Karen Eagan 8930 Hinton Avenue Baltimore, MD 21219 (410)477-3270
Print Name of Applicant Address Telephone Number

☐ Lot Address 8930 Hinton Avenue Election District 15 Council District 7 Square Feet 9175

Lot Location: N E S W / side / corner of Hinton Avenue 115 feet from N E S W corner of 7th. Street
(Street) (Street)

Land Owner Leroy E. and Karen I. Eagan Tax Account Number 1523001330

Address 8930 Hinton Avenue Telephone Number (410)477-3270
Baltimore, MD 21219

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>x</u>	<u> </u>
2. Permit Application	<u> </u>	<u>x</u>
3. Site Plan	<u>x</u>	<u> </u>
Property (3 copies)	<u>x</u>	<u> </u>
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>x</u>	<u> </u>
4. Building Elevation Drawings	<u>x</u>	<u> </u>
5. Photographs (please label all photos clearly)	<u>x</u>	<u> </u>
Adjoining Buildings	<u>x</u>	<u> </u>
Surrounding Neighborhood	<u>x</u>	<u> </u>

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by ZADW

Date

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☐ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Community Conservation

Date: **99-337-A**

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by John Sullivan on 3-2-99
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 3-11-99 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 3-26-99 C (B-3 Work Days)

TENTATIVE DECISION DATE 4-1-99 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

Variance #
99-337-A
B
Permit Number
3/24/99

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Leroy and Karen Eagan 8930 Hinton Avenue Baltimore, MD 21219 (410)477-3270
Print Name of Applicant Address Telephone Number

☐ Lot Address 8930 Hinton Avenue Election District 15 Council District 7 Square Feet 9175

Lot Location: N E S W / side / corner of Hinton Avenue 115 feet from N E S W corner of 7th. Street
(street) (street)

Land Owner Leroy E. and Karen I. Eagan Tax Account Number 1523001330

Address 8930 Hinton Avenue Telephone Number (410)477-3270
Baltimore, MD 21219

☐ **CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation**

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>X</u>	<u> </u>
2. Permit Application	<u> </u>	<u>X</u>
3. Site Plan	<u>X</u>	<u> </u>
Property (3 copies)	<u>X</u>	<u> </u>
Topo Map (available in Rm 206 C.O.B.) (2 copies)	<u>X</u>	<u> </u>
<p align="center"><small>(please label site clearly)</small></p>	<u> </u>	<u> </u>
4. Building Elevation Drawings	<u>X</u>	<u> </u>
5. Photographs (please label all photos clearly)	<u>X</u>	<u> </u>
Adjoining Buildings	<u>X</u>	<u> </u>
Surrounding Neighborhood	<u>X</u>	<u> </u>

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by ZADM

Date

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

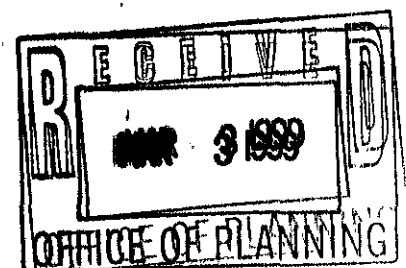
RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Original Forwarded 3/15/99

Signed by: *Jeffrey W. Lang*
for the Director, Office of Planning & Community Conservation

Date: *3/15/99*



SCHEDULED DATES, CERTIFICATE OF POSTING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by Jehn Sullivan on 3-3-99
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 3-11-99 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 3-26-99 C (B-3 Work Days)

TENTATIVE DECISION DATE 4-1-99 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

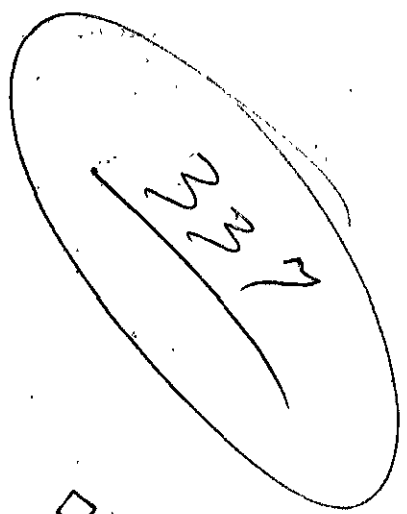
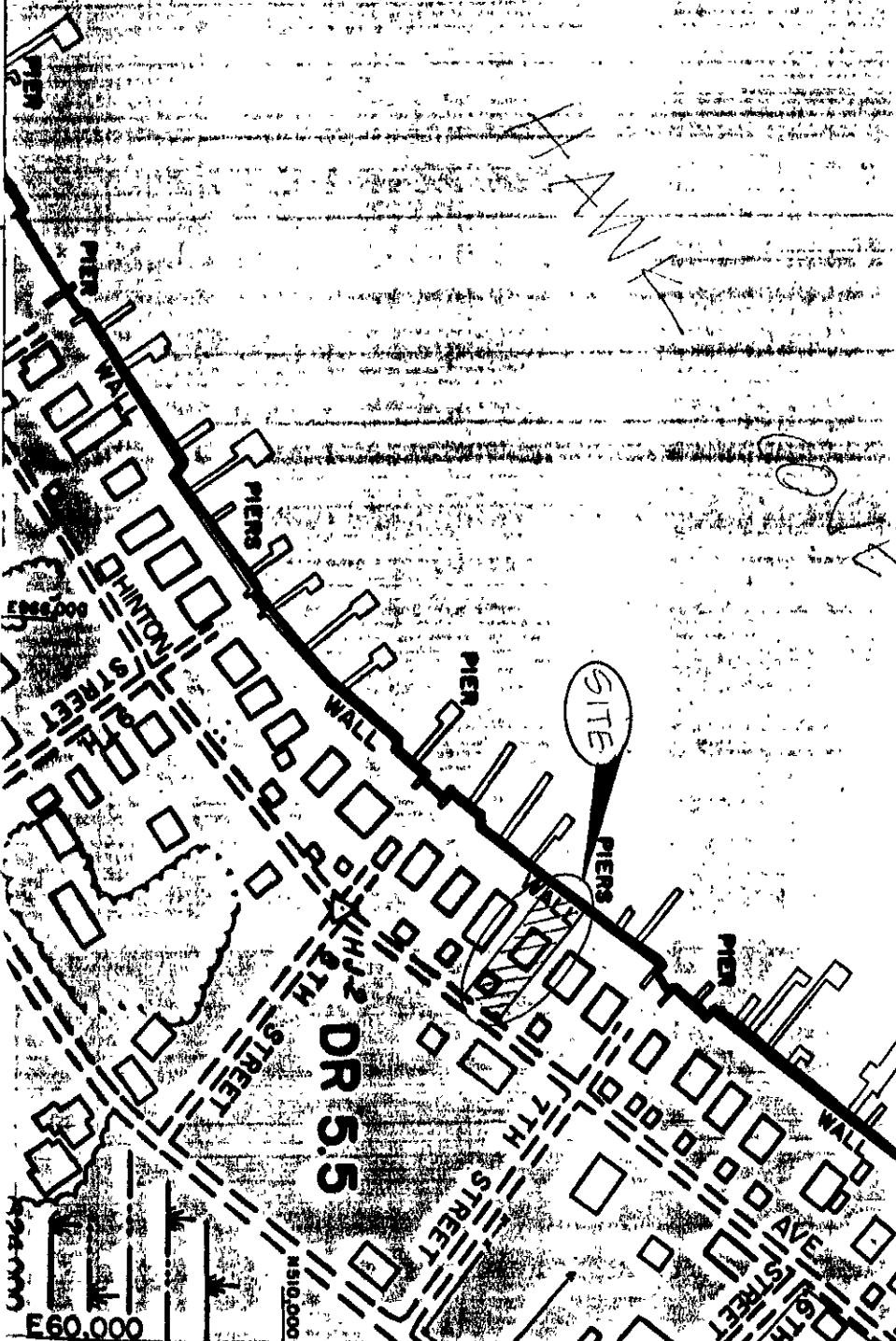
Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

NEP
SE 6J
Cuckoo Point

#8930 Hinton Avenue
Baltimore, MD 21219
Zoning Map S.E. 6-J
200' Scale Map

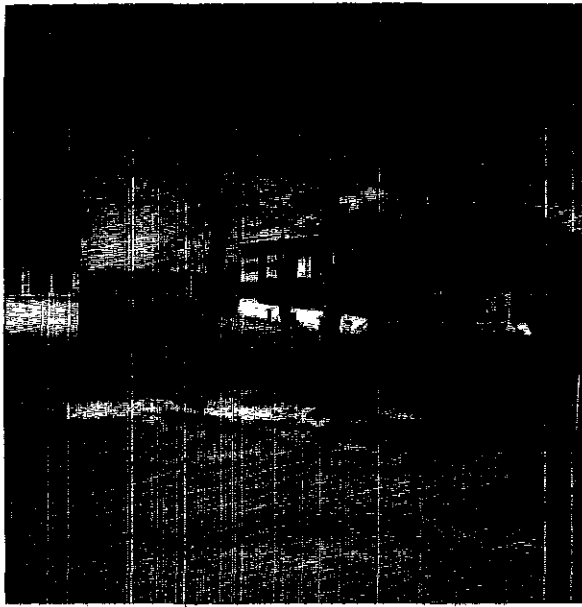
E58,500



99-337-A

E60,000

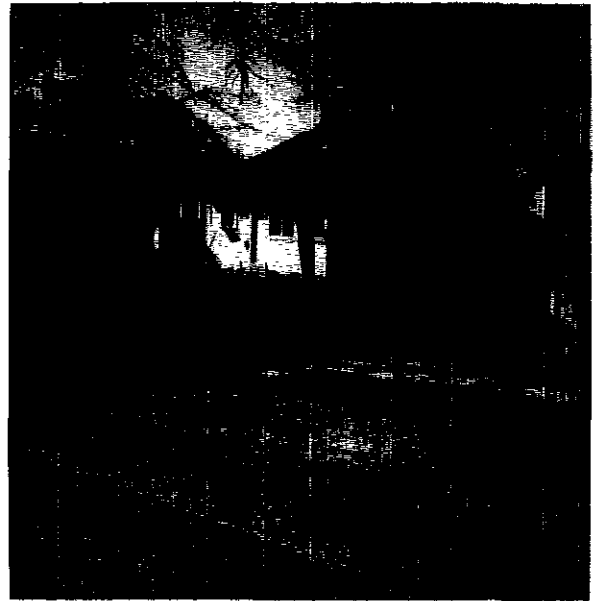
\$23,000



8930 + 8932 Prop Line

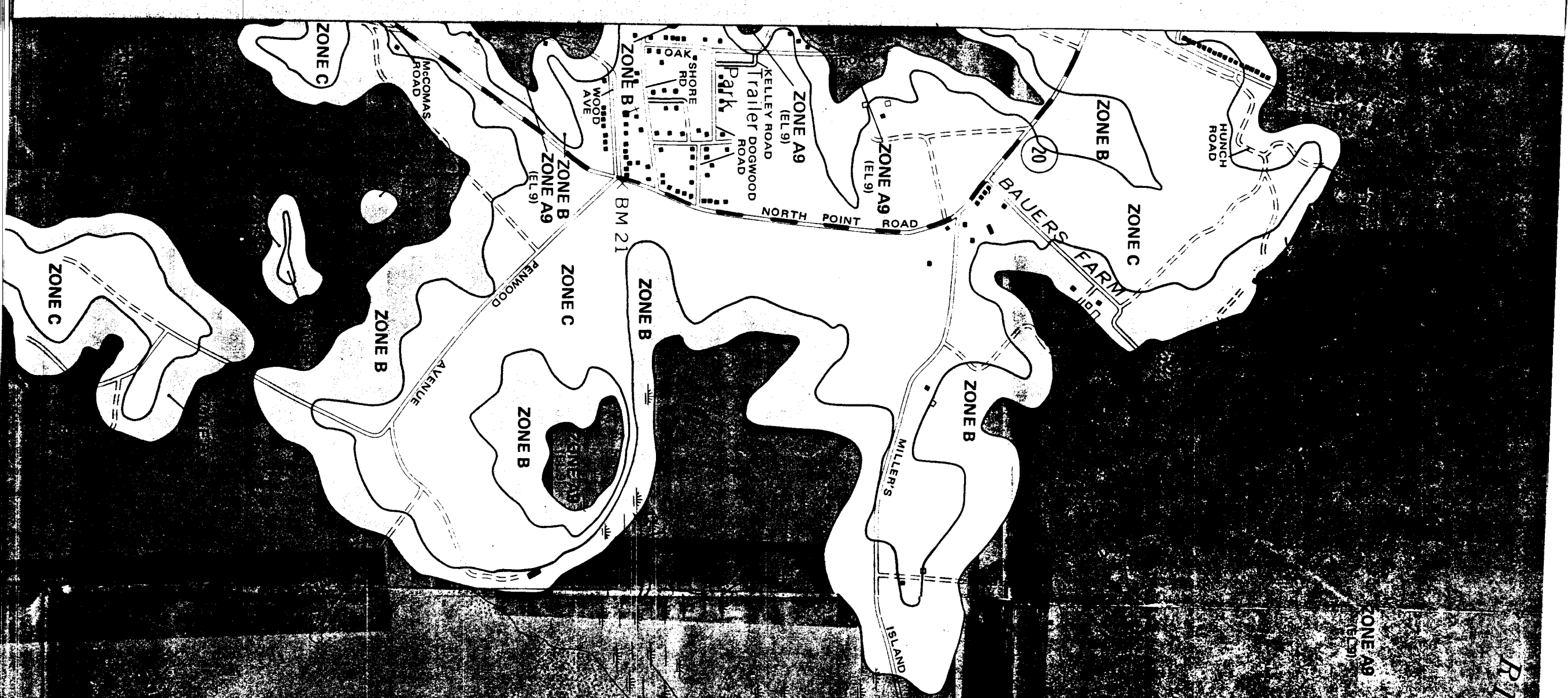


8930 Front Outbuilding




8930 side building

Blue Flood B
 with Elevation
 Blue Flood B
 Where Under
 Bayview Rd
 Zone D Bay
 River Mile
 100
 Coastal/land
 Hazard Area
 Reference
 "EXPL
 ZONE
 A
 AO
 AH
 A1-A30
 A99
 B
 C
 D
 V
 V1-V30
 This map is for
 does not nec
 drainage sour
 Hazard Area
 updated flood
 or construction
 Coastal base it
 shown at 1:50,000



To determine if flood insurance is available in the community, contact your insurance agent, or call the National Flood Insurance Program at (800) 538-6620.


 APPROXIMATE SCALE
 1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM


FLOOD INSURANCE RATE MAP

BALTIMORE COUNTY, MARYLAND
(UNINCORPORATED AREAS)

PANEL 560 OF 575
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
240010 0560 C

MAP REVISED:
NOVEMBER 17, 1993

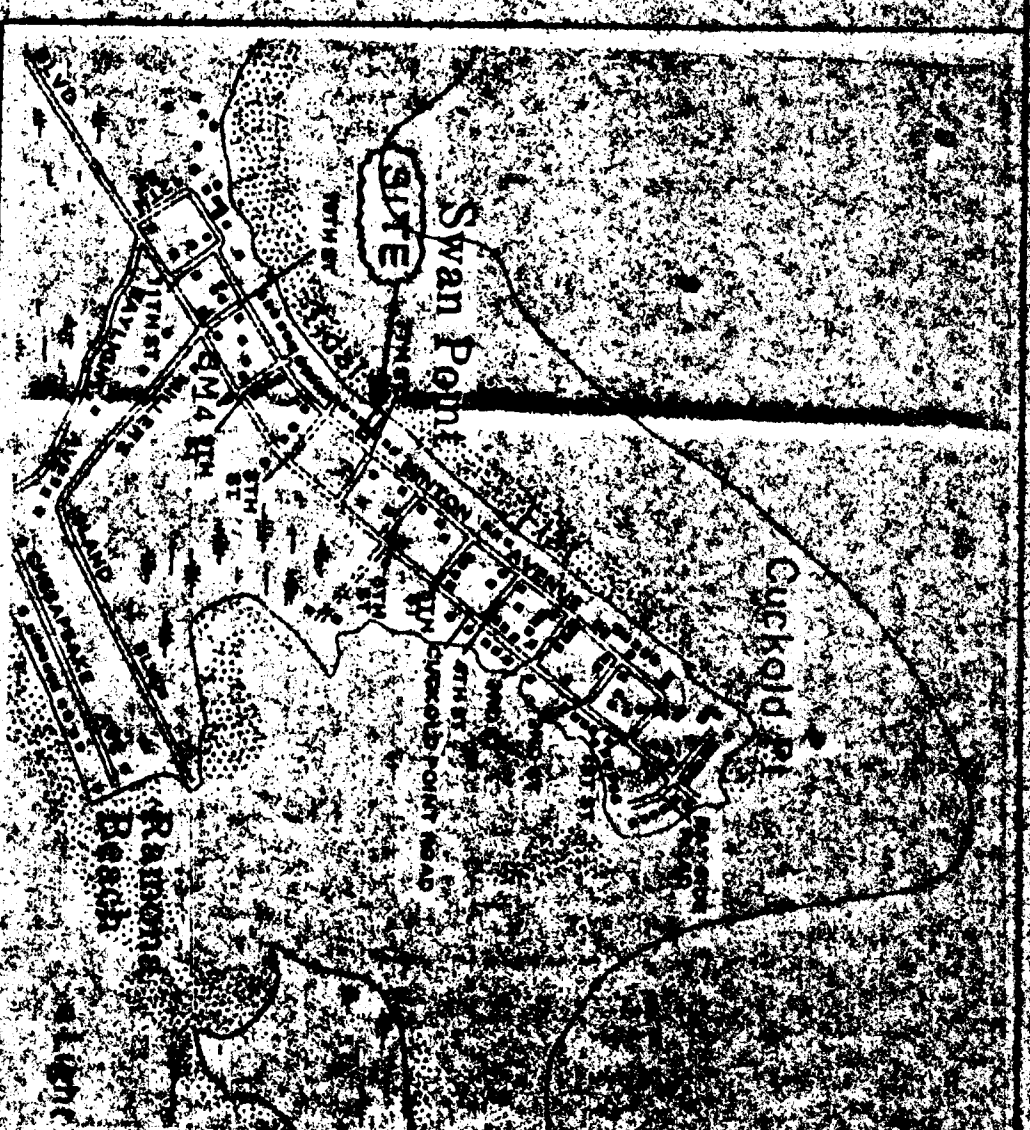

Federal Emergency Management Agency

EXISTING AREAS & FOOTAGE	
* DESCRIPTION	AREA
(A) DWELLING (EXISTING)	1805 SQ. FT.
(B) 1 STY. FRAME SHED	170 SQ. FT.
(C) STONE WALKS	415 SQ. FT.
(D) 1 STY. FRAME GARAGE	287 SQ. FT.

NOTE: A, B, C, D TO BE RAZED & 2177 SQ. FT. EXISTING 1/2 ACRE
 PROPOSED 30 X 40' DWELLING
 15 1200 SQ. FT.
 ALL DWELLABLE INTERLUDES AREA: 1175 S.F. X .25% = 294 S.F. HAWK
 15 1200 SQ. FT. AREA: 15

ANDREW YUCKA
 DEED: 5579-781
 TX. ACCT: 1519480320

CHARLES D. BAKER
 DEED: 6374-848
 TX. ACCT: 1503471410



VICINITY MAP: 1" = 1000'

COUNCILMANIC DISTRICT: 7
 1" = 200' SCALE MAP #: 5-E-6-5
 ZONING: DR 5.5

LOT SIZE: .211 ACRES 9,175 SQUARE FEET

SEWER: ☒ PUBLIC ☐ PRIVATE
 WATER: ☒ YES ☐ NO
 CHESAPEAKE BAY CRITICAL AREA: ☒ YES ☐ NO
 PRIOR ZONING HEARINGS: NONE
 PICTURE # & DIRECTION

PLAT TO ACCOMPANY APPLICATION
 FOR UNDERSIZED LOT AND SIDEYARD
 VARIANCE FOR #8930 HINTON AVENUE
 15TH ELECTION DISTRICT BALTO. CO., MD.
 SCALE: 1" = 20' FEBRUARY 15, 1999
 LOT 416 "SWAN POINT"
 P.B. 7, FOLIO 162



DEVELOPMENT
 ENGINEERS, INC.

2001/01/01
 10000

HINTON

AVENUE (15' R/W)

150349

OWNER:
 LEROY E. & KAREN L. EAGAN
 #8930 HINTON AVENUE
 BALTIMORE, MD. 21219
 TAX ACCOUNT # 1523001330

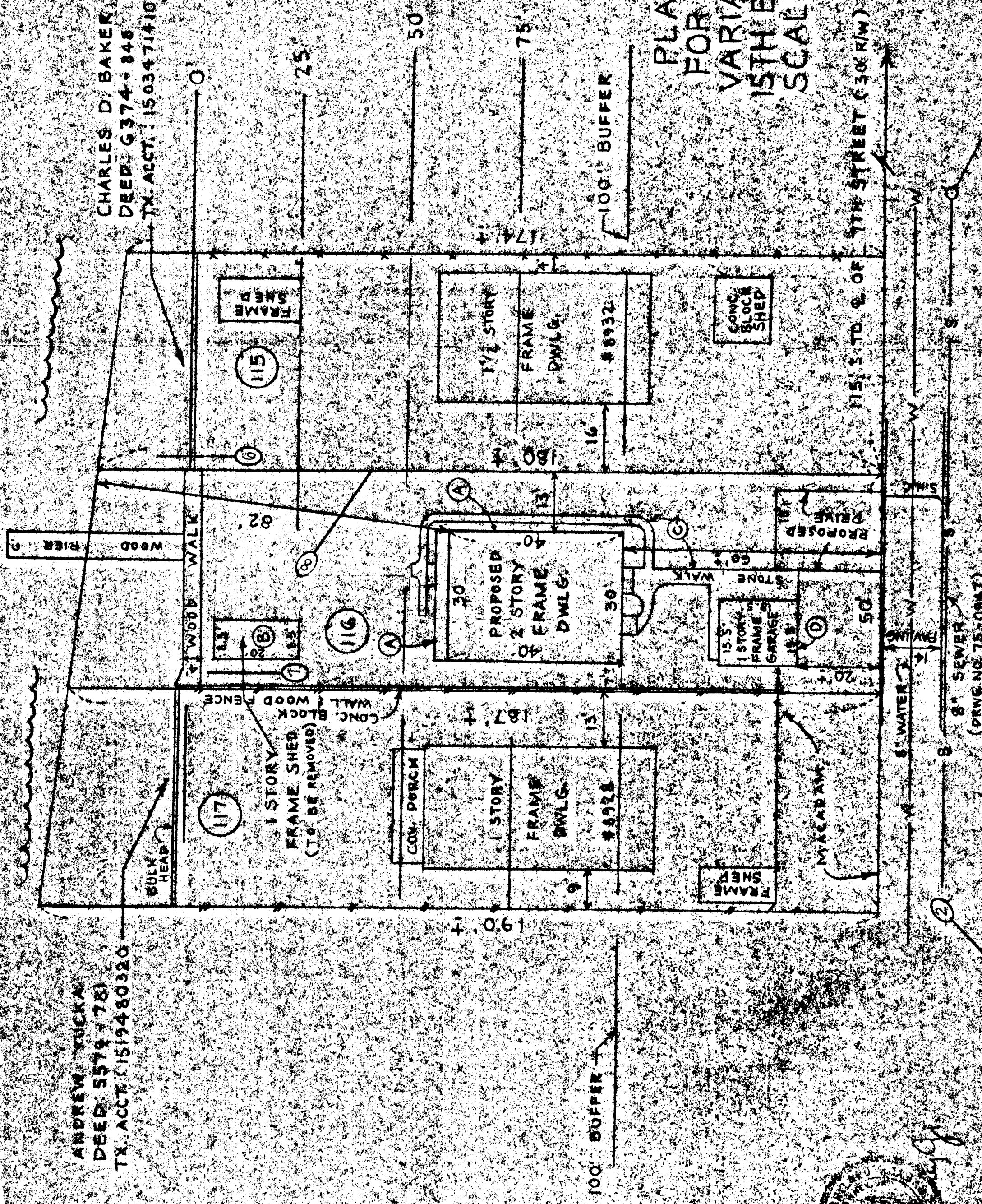
99.337-A

ZONING OFFICE USE ONLY:
 REVIEWED BY: JEM
 337 CASE #

#99-BIG

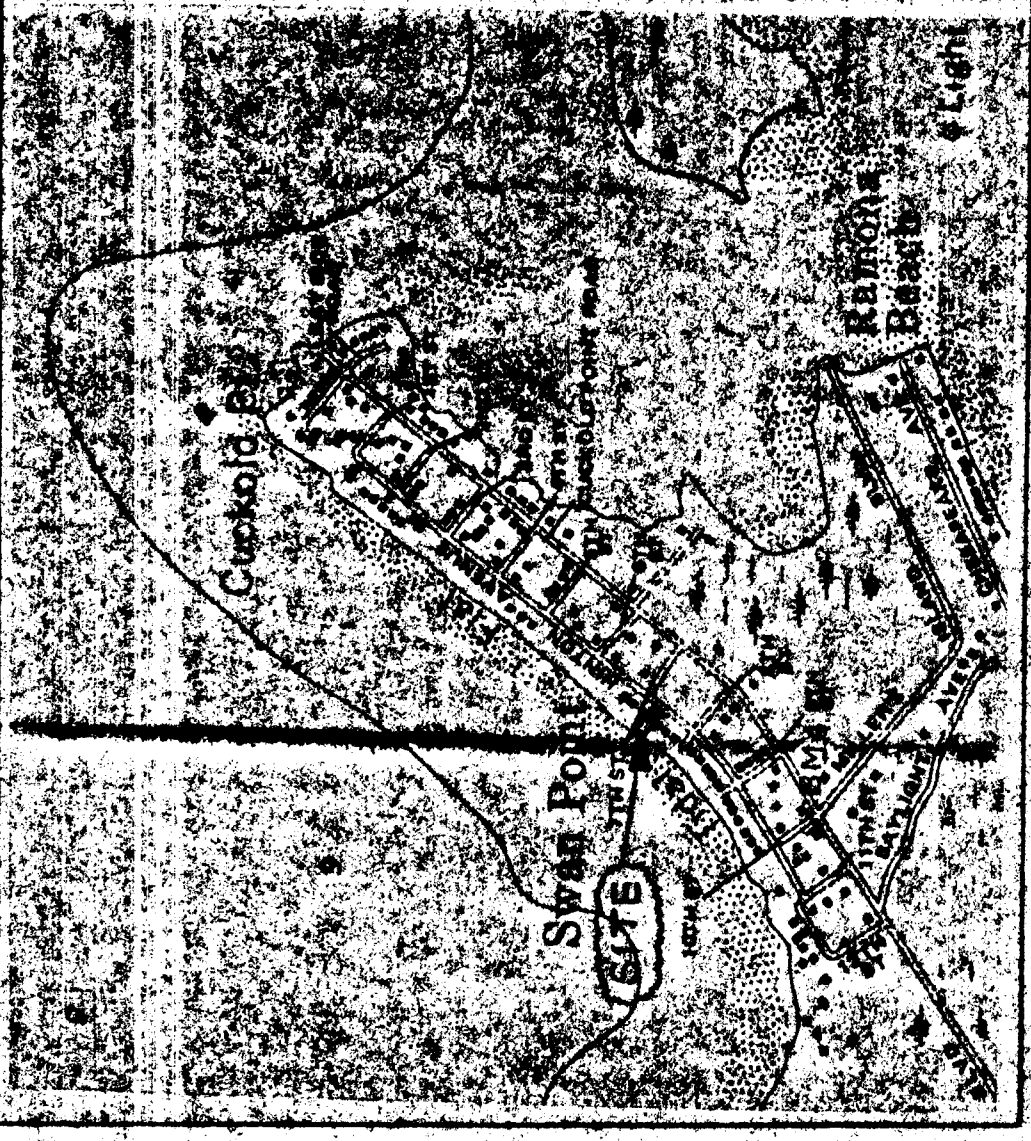
IMPERVIOUS AREAS / SQ. FOOTAGE		
* DESCRIPTION		AREA
(A) DWELLING (EXISTING)		1305 SQ. FT.
(B) 1 STORY FRAME SHED		170 SQ. FT.
(C) 1 STORY FRAME WALKWAY		415 SQ. FT.
(D) 1 STORY FRAME GARAGE		267 SQ. FT.

NOTE: A, B, C & D TO BE RAZED 22,775 SQ. FT. EXISTING 1/2 = 24%
 PROPOSED 30' X 40' DWELLING
 15,120 SQ. FT.
 ALLOWABLE IMPERVIOUS AREA: 17,500 X 25% = 4,375 SQ. FT.
 AREA OF IMPERVIOUS AREAS: 18,100



ANDREW YUCKA
 DEED: 5574-781
 TX. ACCT: 1519480320

CHARLES D. BAKER
 DEED: G374-846
 TX. ACCT: 1503471410



VICINITY MAP: 1" = 1000'

COUNCILMANIC DISTRICT: 7

1" = 200' SCALE MAP #: SE 6-J

ZONING: DR 5.5

LOT SIZE: .211 ACRES

SQUARE FEET: 9,175

SEWER: ☒ PUBLIC ☐ PRIVATE

WATER: ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA: YES ☐ NO ☒

PRIOR ZONING HEARINGS: NONE

PICTURE # & DIRECTION

PLAT TO ACCOMPANY APPLICATION
 FOR UNDERSIZED LOT AND SIDEYARD
 VARIANCE FOR #8930 HINTON AVENUE
 15TH ELECTION DISTRICT BALTO. CO., MD.
 SCALE: 1" = 20' FEBRUARY 15, 1999

LOT 116, SWAN POINT
 P.B. 7, FOLIO 162

99.337-A

OWNER:
 LEROY E. KAREN L. BAKAN
 #8930 HINTON AVENUE
 BALTIMORE, MD 21218
 TAX ACCOUNT: 1523001320

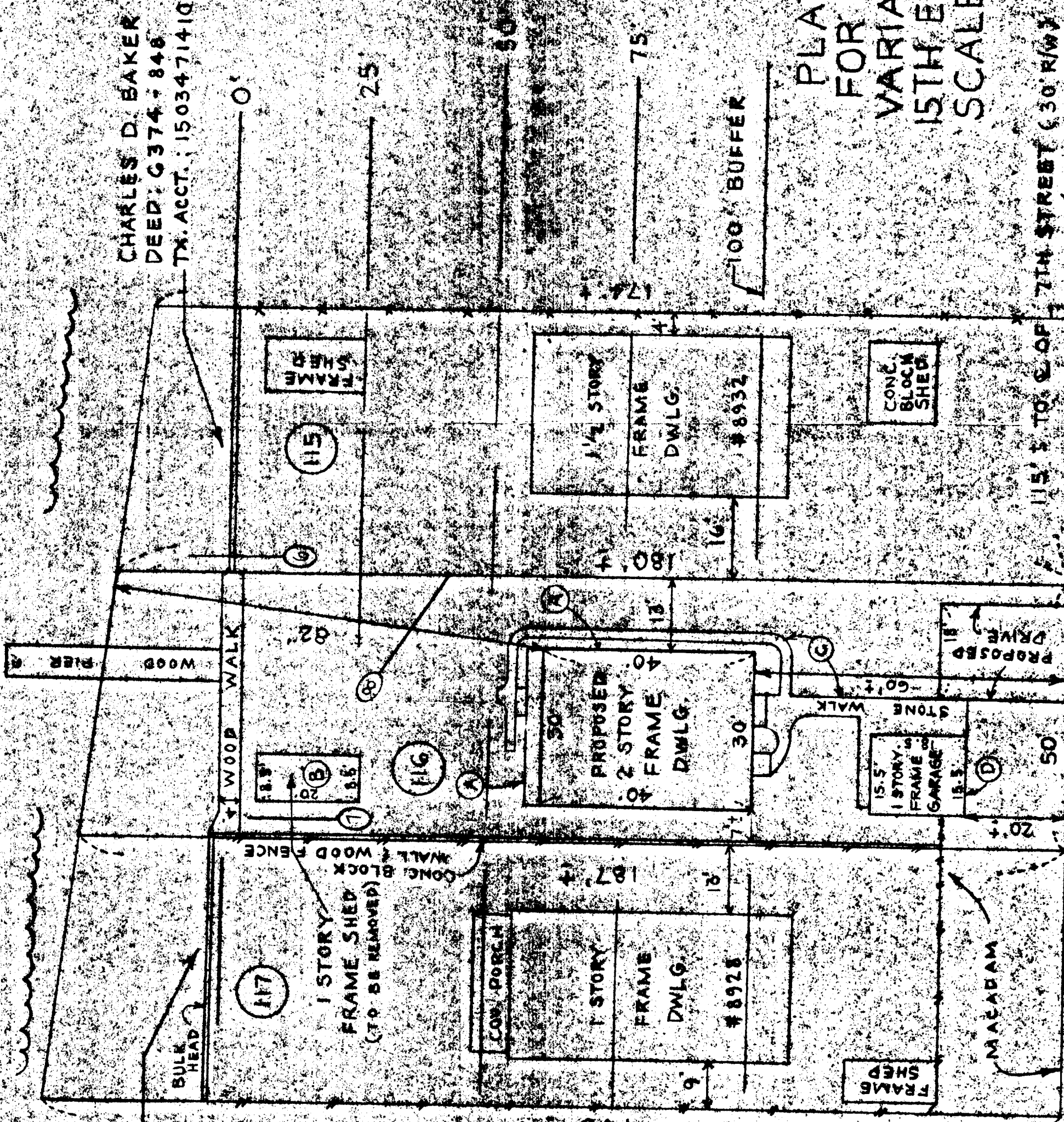
DEVELOPMENT
 ENGINEERS, INC.

ZONING OFFICE USE ONLY
 REVIEWED BY: [] ITEM # [] CASE # []

IMPERVIOUS AREAS / SQ. FOOTAGE	
* DESCRIPTION	AREA
(A) DWELLING (EXISTING)	1305 SQ. FT.
(B) 1STY. FRAME SHED	170 SQ. FT.
(C) STONE WALKS	415 SQ. FT.
(D) 1STY. FRAME GARAGE	287 SQ. FT.

NOTE: A, B, C & D TO BE RAZED & 2177 SQ. FT. EXISTING % 2.4%
 PROPOSED 30' X 40' DWELLING
 IS 1200 SQ. FT.
 ALLOWABLE IMPERVIOUS AREA 179 SQ. FT. 25% 224 SQ. FT. HAWK
 48 OF IMPERVIOUS AREA

ANDREW WUCKA
 DEED: 5579-78/
 TX ACCT: 1519480320



CHARLES D. BAKER
 DEED: C374-848
 TX ACCT: 1503471410

VICINITY MAP: 1" = 1000'

COUNCILMANIC DISTRICT: 7

1" = 200' SCALE MAP #: SE-6-J

ZONING: DR. 5.5

LOT SIZE: .211

ACREAGE

SQUARE FEET

PRIVATE

SEWER

WATER

CHESAPEAKE BAY CRITICAL AREA: YES NO

PRIOR ZONING HEARINGS: NONE

PICTURE # & DIRECTION

PLAT TO ACCOMPANY APPLICATION
 FOR UNDERSIZED LOT AND SIDEYARD
 VARIANCE FOR #8930 HINTON AVENUE
 15TH ELECTION DISTRICT BALTO. CO., MD
 SCALE: 1" = 20' FEBRUARY 15, 1999

LOT 116 SWAN POINT
 P.B. 7, FOLIO 162

HINTON

AVENUE (15' R/W)

OWNER
 LEROY E. & KAREN L. EAGAN
 #8930 HINTON AVENUE
 BALTIMORE, MD. 21219
 TAX ACCOUNT # 1523001330

99-337-A

DEVELOPMENT
 ENGINEERS, INC.
 201 West Joppa Road
 Suite 101, Joppa, MD 21091
 410-938-8800

ZONING OFFICE USE ONLY
 REVIEWED BY: 337 CASE #